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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/024,016      | 12/21/2001  | Eiji Teraue          | Q67821              | 4767             |

7590 10/05/2005

SUGHRUE, MION, ZINN,  
MACPEAK & SEAS, PLLC  
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Washington, DC 20037-3202

EXAMINER

PATTERSON, RASHAN OMAR

ART UNIT PAPER NUMBER

2622

DATE MAILED: 10/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                     |              |  |
|------------------------------|---------------------|--------------|--|
| <b>Office Action Summary</b> | Application No.     | Applicant(s) |  |
|                              | 10/024,016          | TERAUE, EIJI |  |
|                              | Examiner            | Art Unit     |  |
|                              | Rashan O. Patterson | 2622         |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 21 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1 and 2 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 December 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Drawings*

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: "An image data output apparatus **50 shown** in Fig 5..." on page 10 of the Specifications. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1 and 2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kohtani et al. (US 5475475) in view of Rouke (US 5191429).

Regarding claims 1 and 2, Kohtani et al. discloses an image data output apparatus (Fig 1) for outputting a plurality of pieces of image data representative of a plurality of images of which a number is identical to a divisional number obtained when a sheet of paper is divided into a plurality of areas, through editing into image data in which the plurality of images are recorded on the plurality of areas respectively, said image data output apparatus comprises: a division number designating section for designation number of divisions in accordance with an operation, wherein a sheet of paper is subject to an area division (**Col 8 lines 10-19**); a data editing section for editing image data which number is same as the number of divisions designated by said division number designating section, said image data being representative of same number of images as the number of divisions designated by said division number designating section, to image data in which said same number of images is recorded on the same number of areas obtained when a sheet of paper is divided into the same number of areas (**Col 8 lines 10-19**); and a data output section (20) for outputting image data after edited by said data editing section.

Regarding claims 1 and 2, Kohtani et al. does not disclose an image data output apparatus for outputting a plurality of pieces of image data, wherein data editing section edits the same number of image data, in the event that there is an image of which size extends over a one area when a sheet of paper is divided into said same number of area in said same number of images represented by said same number of image data, in such a manner that a portion projected from said one area of the image of which size

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extends over said one area is removed and the remaining portion is recorded on said one area of the image of which size extends over said one area.

Rouke does disclose an image data output apparatus for outputting a plurality of pieces of image data, wherein data editing section edits the same number of image data, in the event that there is an image of which size extends over a one area when a sheet of paper is divided into said same number of area in said same number of images represented by said same number of image data, in such a manner that a portion projected from said one area of the image of which size extends over said one area is removed and the remaining portion is recorded on said one area of the image of which size extends over said one area (**Col 6 lines 29-34 and lines 43-63**).

Kohtani et al. and Rouke et al. are combinable because they both incorporate a an image data output apparatus

It would have been obvious at the time of the invention for one skilled in the art to combine Kohtani et al. with Rouke.

The motivation for doing so would be to enable extraneous and unwanted parts of the scanned image to be removed.

Therefore it would have been obvious to combine Kohtani et al with Rouke to obtain the invention specified in claims 1 and 2.

***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Lourette et al. discloses a method and apparatus for manipulating digital image data. Stone discloses an enhanced page placement for multiple-up presentation.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rashan O. Patterson whose telephone number is 571-272-0597. The examiner can normally be reached on Mon - Fri 9am-5pm.

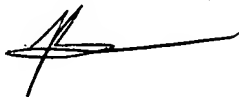
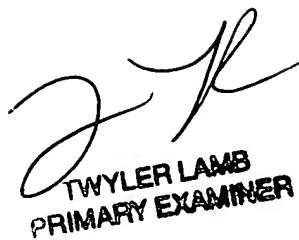
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ed Coles can be reached on 571-272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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ROP

A handwritten signature, possibly reading "A", consisting of a horizontal line with a small loop at the end.A handwritten signature, possibly reading "JK", is written over a rectangular stamp. The stamp contains the text "TWYLER LAMB" and "PRIMARY EXAMINER" in a bold, sans-serif font.